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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA**

GREGORY A. STRASBURG, Individually and as
 Trustee of the GREGORY A. STRASBURG
 REVOCABLE TRUST dated 4/28/2003

Plaintiff,

vs.

M/Y JUST A NOTION, Official Number 1089525,
 her engines, tackle, furniture and appurtenances, *in*
rem; PETER BLAIR, *in personam*; JIM
 SINGLETON, *in personam*; and THE YACHT
 CLUB, LLC., a Nevada Corporation,

Defendants.

CASE NO: 08cv0021JLS(BLM)

DEFENDANTS' NOTICE OF
 MOTION AND MOTION TO
 DISMISS THE SECOND, THIRD,
 FOURTH AND FIFTH CAUSES OF
 ACTION FOR FAILURE TO STATE
 A CLAIM UPON WHICH RELIEF
 CAN BE GRANTED (FRCP 12(b)(6)),
 or, in the alternative, MOTION FOR A
 MORE DEFINITE STATEMENT

Date: March 28, 2008

Time: 10:30

Judge: Hon. Janis L. Sammartino

Dept: Courtroom 6

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on March 28, 2008 at 10:30 a.m., or as soon thereafter as the
 matter may be heard in the above-entitled court, located at 800 Front Street, San Diego, CA
 92101, Defendants PETER BLAIR, JIM SINGLETON, and THE YACHT CLUB, LLC. will
 move this Court to dismiss the Second, Third, Fourth and Fifth Causes of Action pursuant to
 FRCP 12(b)(6) because Plaintiffs' causes of action for fraud fail to meet the particularity
 requirements for pleading under FRCP 9(b).

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NOTICE OF MOTION AND MOTION TO DISMISS

08Ccv0021 JLS(BLM)

THE SECOND, THIRD, FOURTH AND FIFTH CAUSES OF ACTION

1 This motion will be based on this Notice of Motion and Motion, the Memorandum of
2 Points and Authorities filed herewith, and the pleadings and papers filed herein.

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4 DATED: February 1, 2008

McDONNELL & ASSOCIATES, P.C.

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7 Douglas M. Field, Attorney for Defendants
8 PETER BLAIR, JIM SINGLETON, and
9 THE YACHT CLUB, LLC
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